

**§222.309 Permits for listed species of sea turtles involving the Fish and Wildlife Service.**

(a) This section establishes specific procedures for issuance of the following permits: scientific purposes or to enhance the propagation or survival of endangered or threatened species of sea turtles; zoological exhibition or educational purposes for threatened species of sea turtles; and permits that requires coordination with the Fish and Wildlife Service. The National Marine Fisheries Service maintains jurisdiction for such species in the marine environment. The Fish and Wildlife Service maintains jurisdiction for such species of sea turtles in the land environment.

(b) For permits relating to any activity in the marine environment exclusively, permit applicants and permittees must comply with the regulations in parts 222, 223, and 224 of this chapter.

(c) For permits relating to any activity in the land environment exclusively, permit applicants must submit applications to the Wildlife Permit Office (WPO) of the U.S. Fish and Wildlife Service in accordance with either 50 CFR 17.22(a), if the species is endangered, or 50 CFR 17.32(a), if the species is threatened.

(d) For permits relating to any activity in both the land and marine environments, applicants must submit applications to the WPO. WPO will forward the application to NMFS for review and processing of those activities under its jurisdiction. Based on this review and processing, WPO will issue either a permit or a letter of denial in accordance with its own regulations.

(e) For permits relating to any activity in a marine environment and that also requires a permit under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (TIAS 8249, July 1, 1975) (50 CFR part 23), applicants must submit applications to the WPO. WPO will forward the application to NMFS for review and processing, after which WPO will issue a combination ESA/CITES permit or a letter of denial.

**PART 223—THREATENED MARINE AND ANADROMOUS SPECIES**

**Subpart A—General Provisions**

Sec.

- 223.101 Purpose and scope.  
223.102 Enumeration of threatened marine and anadromous species.

**Subpart B—Restrictions Applicable to Threatened Marine and Anadromous Species**

- 223.201 Guadalupe fur seal.  
223.202 Steller sea lion.  
223.203 Anadromous fish.  
223.204 Exceptions to prohibitions relating to anadromous fish.  
223.205 Sea turtles.  
223.206 Exceptions to prohibitions relating to sea turtles.  
223.207 Approved TEDs.  
FIGURE 1 TO PART 223—NMFS TED  
FIGURE 2 TO PART 223—CAMERON TED  
FIGURE 3 TO PART 223—MATAGORDA TED  
FIGURE 4 TO PART 223—GEORGIA TED  
FIGURE 5 TO PART 223—NET DIAGRAM FOR THE EXCLUDER PANEL OF THE PARKER SOFT TED  
FIGURES 6—9b TO PART 223 [RESERVED]  
FIGURE 10 TO PART 223—FLOUNDER TED  
FIGURE 11 TO PART 223—JONES TED  
FIGURE 12a TO PART 223—ATTACHMENT OF THE EXIT HOLE COVER  
FIGURE 12b TO PART 223—GRID TED LEATHERBACK MODIFICATION  
FIGURE 13 TO PART 223—SINGLE GRID HARD TED ESCAPE OPENING  
FIGURE 14a TO PART 223—MAXIMUM ANGLE OF DEFLECTOR BARS WITH STRAIGHT BARS ATTACHED TO THE BOTTOM OF THE FRAME  
FIGURE 14b TO PART 223—MAXIMUM ANGLE OF DEFLECTOR BARS WITH BENT BARS ATTACHED TO THE BOTTOM OF THE FRAME  
FIGURE 15 TO PART 223—MAXIMUM ANGLE OF DEFLECTOR BARS WITH BARS UNATTACHED TO THE BOTTOM OF THE FRAME

AUTHORITY: 16 U.S.C. 1531 *et seq.*; 16 U.S.C. 742a *et seq.*; 31 U.S.C. 9701.

SOURCE: 43 FR 32809, July 28, 1978, unless otherwise noted. Redesignated at 64 FR 14068, Mar. 23, 1999.

EDITORIAL NOTE: For a document relating to adoption of alternative scientific testing protocol for evaluating TEDs see 55 FR 41092, Oct. 9, 1990.